

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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M&T Bank



Order Filed on February 20, 2024

by Clerk

U.S. Bankruptcy Court

District of New Jersey

In Re:

Charles McSorley aka Charles H McSorley

Santa McSorley

Debtors

Case No.: 23-11078 VFP

Hearing Date: 3/7/2024 @ 10:00 a.m.

Judge: Vincent F. Papalia

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: February 20, 2024

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtors: Charles McSorley aka Charles H McSorley & Santa McSorley

Case No: 23-11078 VFP

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 23 Pierce Avenue, Oak Ridge, NJ, 07438, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Nicholas Fitzgerald, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 5, 2024, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due November 2023 through February 2024 for a total post-petition default of \$10,852.57 (4 @ \$2,754.73 less suspense \$166.35); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$10,852.57 will be paid by Debtor remitting \$1,808.77 per month for five months and \$1,808.72 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on March 1, 2024 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume March 1, 2024, directly to Secured Creditor (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$400.00 for attorneys' fees and \$199.00 for filing fees, totaling \$599.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.